

D.T.E. 03-42

September 11, 2003

Petition by the Massachusetts Bay Transportation Authority ("MBTA") to commence a rulemaking pursuant to 220 C.M.R. § 2.00 et seq., to amend 220 C.M.R. § 151.00 et seq.: Rail Fixed Guideway System: Safety System Program Standard.

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS BY THE
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY ON PROPOSED
AMENDMENTS TO RULES AND REGULATIONS GOVERNING THE OPERATION
AND MAINTENANCE OF THE MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY'S RAIL FIXED GUIDEWAY SYSTEM

On September 11, 2003, the Department of Telecommunications and Energy ("Department") issued an Order instituting a rulemaking proceeding and promulgating proposed regulations amending as 220 C.M.R. §§ 151.00 et seq. The proposed regulations would increase the track inspection and maintenance standards for the MBTA's light rail rapid transit track infrastructure. The matter has been docketed as D.T.E. 03-42. A copy of the Department's Order and the proposed regulations may be obtained at the Department's offices at the South Station address below. In addition, the Department has posted a copy of the Order and the proposed regulations on its website, <http://www.mass.gov/dpu/>.

The Department invites interested persons to file written comments on the proposed regulations no later than the close of business, October 29, 2003. Reply comments shall be filed by November 12, 2003. Comments may not exceed 20 one-sided, double-spaced, type-written pages. One original and (3) three copies of initial and reply comments must be filed with:

Mary Cottrell, Secretary
Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

In addition to filing a paper copy of written comments, commenters must, if possible, file comments in electronic format by e-mail attachment to dte.efiling@state.ma.us (copy to Michael.Killion@state.ma.us). The electronic filing must specify: (1) the case caption; (2) the docket number (D.T.E. 03-24); (3) the name of the person or company submitting the filing; and (4) a brief descriptive title of document (e.g., comments). The electronic filing should

also include the name, title, and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word, (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's website, <http://www.mass.gov/dpu/>.

The Department will conduct a public hearing to receive oral comment on the proposed regulations at 10:00 a.m., November 5, 2003, at the Department's offices at One South Station, Boston, Massachusetts.

By Order of the Department,

Mary L. Cottrell, Secretary